SOUTH SAVAGE WILDLAND
SAVAGE RIVER STATE FOREST

COMPREHENSIVE PLAN

Maryland Department of Natural Resources
Resource Planning Program
September 2005

STATE OF MARYLAND

The Honorable Robert L. Ehrlich, Jr., Governor
The Honorable Michael S. Steele, Lt. Governor

DEPARTMENT OF NATURAL RESOURCES

C. Ronald Franks, Secretary
Lynn Buhl, Deputy Secretary

Resource Planning
Gene Piotrowski, Director

Approval of this Comprehensive Plan for the South Savage Wildland has been granted on this 22nd day of September 2005

C. Ronald Franks, Secretary
Maryland Department of Natural Resources

South Savage Wildland Comprehensive Plan
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Introduction

Savage River State Forest includes 53,892 acres of land primarily in eastern Garrett County, Maryland. It generally encompasses Savage River Reservoir, and the headwaters that feed it, as well as the adjacent forested slopes and ridges. However, peripheral areas drain into Georges Creek to the east, and the Casselman and Youghiogheny Rivers to the north and west. This makes Savage River the only area of public land in Maryland that ultimately drains both to the Chesapeake Bay (via the Potomac River) and to the Gulf of Mexico (via the Mississippi River). It is topographically and geologically diverse and covered by mature forest. Because of the ecological diversity demonstrated by Savage River SF, it supports a notably diverse community of plants and animals, including almost 100 occurrences of rare or uncommon species that are tracked by DNR.

The forest is typically second growth mixed hardwood dominated by various oaks, sugar and red maple, hickory and ash. It also contains about 4000 acres of conifer plantations, primarily red pine, which were established in the 1940's following acquisition by the State. Conifers were used as nurse crops to rehabilitate abandoned farm fields as a first step in their conversion back to native hardwoods. Savage River State Forest has been managed intensively for over 60 years, although parts of the forest have not been cut in recent memory and are quite mature. Forest harvest and grooming operations in specific areas have been undertaken to thin out overstocked stands, deal with safety concerns, harvest mature or diseased/dying trees, manage wildlife habitat, assist in certain research needs, and increase age/height diversity of forested stands.

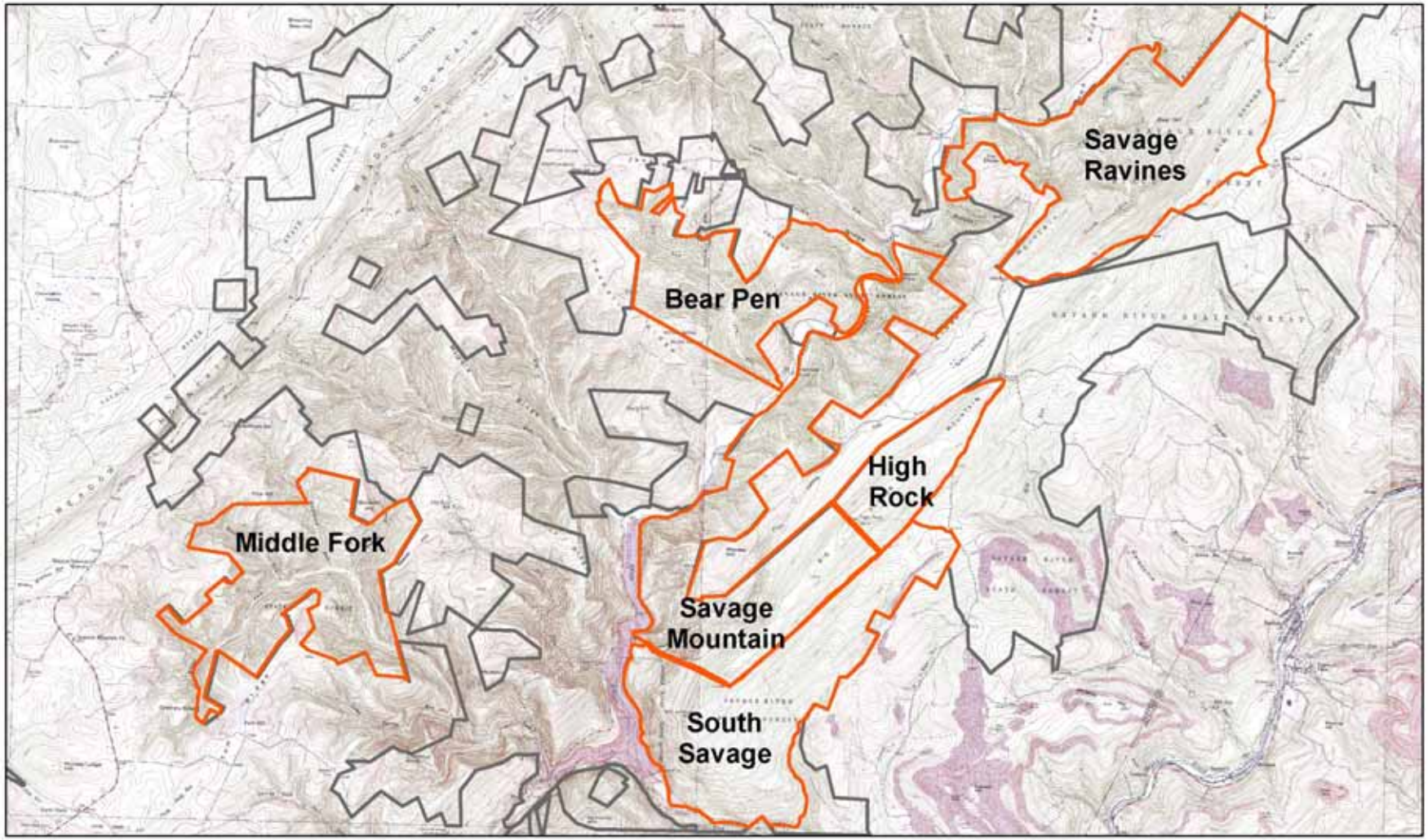
Six areas within Savage River State Forest have been afforded Wildland status (Figure 1). Those areas, Middle Fork (1916 acres), Bear Pen (1517 acres), Savage Mountain (2691 acres), High Rock (650 acres), Savage Ravines (2427 acres), and South Savage Wildland (1934 acres), encompass a total of 12,912 acres, about 24 % of the total acreage of the State Forest. This plan deals specifically with the South Savage Wildland, but begins with general discussion of Savage River State Forest**.**

Management of Savage River State Forest

Savage River State Forest is managed according to a Ten Year Resource Management Plan. That comprehensive plan created a forest zone system and established a three step interdisciplinary process for generating Annual Work Plans to direct activities within the Forest. The model has also been used at other Maryland State Forests. Development of each Annual Work Plan begins one and a half years before the plan is to be implemented. The process includes three steps, as follows.

Step 1. An Interdisciplinary Team (ID Team) of DNR personnel tours various sites to review proposed activities. ID Team members represent a variety of professional interests, including ecology, water resources, game and non-game wildlife, natural heritage, forestry, fisheries, parks, recreation and resource

Main Body of Savage River State Forest
With Savage River Wildlands Shown



(Figure 1)

Prepared by: Resource Planning
Maryland Department of
Natural Resources
May, 2005

Legend

Wildlands

Other DNR Lands

0 0.5 1 2 Miles

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planning. The site of each proposed activity is reviewed by the ID Team to ensure that concerns for wildlife habitat, rare or protected species, water quality, recreation, and silvicultural practices are properly addressed.

Step 2. After the ID Team has reviewed the proposed sites and granted preliminary approval of the proposed activities, a State Forest Advisory Committee (SFAC) composed of knowledgeable citizens reviews all proposals. The SFAC includes members who represent various interests, including a recreational user, fisher, hunter, ecologist, wildlife biologist, environmentalist, forestry professional, recreation professional, youth representative, and representatives of affected economic interests, including the forest products industry. The Secretary of the Department of Natural Resources makes appointments to the SFAC, and emphasis is given to retention of a diverse committee representing the variety of advocacy groups, user groups, and professional disciplines interested in the management of the forest. The purpose of the SFAC is to ensure that the Annual Work Plan proposals meet the needs of as many interest areas as possible and contain provisions to make the plan sensitive to the concerns of all user groups, and to follow-up the review of the ID Team to eliminate oversights or misunderstandings.

Step 3. The revised Annual Work Plan is then presented to the general public at an informational meeting. Contracts for the sale of forest products are also presented to the Board of Public Works for final approval.

Implementation of the activities included in the approved Annual Work Plan is the responsibility of the professionals that oversee the day-to-day management of the State Forest. Activities such as timber harvests must adhere to strict guidelines that ensure maintenance of a very high level of environmental integrity. The forest manager is responsible for oversight of all forest harvest activity. Time sensitive activities not included in the Annual Work Plan (for instance, roadway improvements, various rights-of-ways, research proposals, etc.) are reviewed by an internal ID Team established as part of the Departmental Project Review process. If approved, such actions are permitted by appropriate authorization (use agreements, rights-of-entry, easements) with full DNR oversight.

Wildland Designation

The South Savage tract was designated as a Type 2 Wildland by the Maryland General Assembly in 2002, and the designation became effective on October 1st of that year. During the hearing process this proposed Wildland was the subject of considerable debate and discussion. The University of Maryland System, through its constituent institutions Frostburg State University and the University of Maryland Biotechnology Institute, supported designation but identified a critical need for establishing a secure location for education and research in the environmental sciences. They proposed that, since Savage River State Forest in general, and the South Savage tract in particular, have special attributes making them ideal for those purposes, the South Savage Wildland should be made available for such research.

Education and research in the environmental sciences includes a very wide array of activities, ranging from passive observation to intensive manipulation. Since the Maryland Wildlands Act and it's implementing regulations generally put severe restrictions on what can be done within a Wildland, the legislation (See Appendix A) designating the South Savage Wildland (HB 617/SB 552) specified the following.

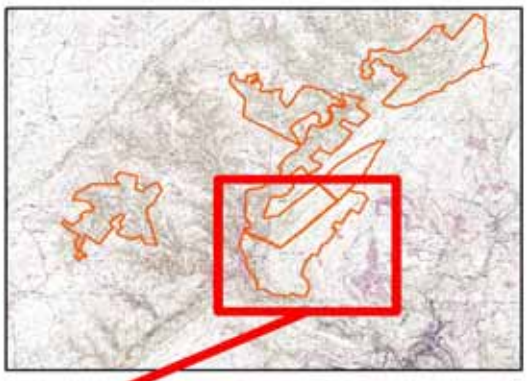
> The South Savage Wildland Area provides a unique site for the study of environmental sciences and offers outstanding value for education, research, and enhanced understanding of natural processes and related economic, sociological, and cultural benefits.
>
> Notwithstanding any other provision of this subtitle, the Department (DNR) may allow research study in the South Savage Wildland Area that involves some activities that are generally restricted or prohibited in State Wildland areas, if the Department determines that the activities will not cause impacts to the Wildland resources and the ecological values of the site.
>
> The Department and the University of Maryland System, through its constituent institutions Frostburg State University and the University of Maryland Biotechnology Institute, shall develop a comprehensive plan for the site setting forth the timing, duration, and general scope of the research activities to be allowed, subject to public review and comment and subject to approval by the Secretary.

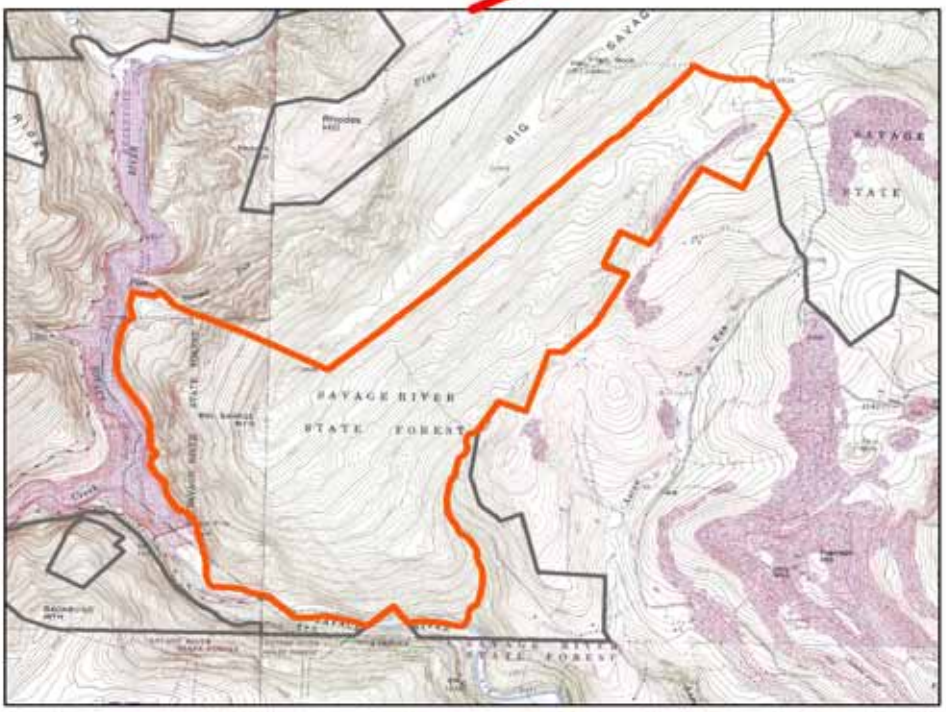
South Savage Wildland

The South Savage Wildland (Figure 2) is located in the extreme southeastern corner of Savage River State Forest. It is generally a "T" shaped tract of land that abuts the Big Savage Wildland and the High Rock Wildland along its northwestern border (Figure 1), and includes most of the State owned land on the slopes and ridge line of Savage Mountain, from the shores of Savage River Reservoir, running northeast to the road leading to the High Rock Fire Tower. These three Wildlands (South Savage, High Rock and Savage Mountain) comprise a combined total of 5275 acres of contiguous Wildland.

The rocky ridgeline of Big Savage Mountain is weather resistant Pottsville Sandstone. The topography ranges from nearly level to slopes of almost 50% along the sides of Coleman Hollow, with an average slope of about 30%. The overall aspect of the tract is generally a southeastern exposure. The dominant forest cover type is mixed oak, with chestnut and white oaks dominating on the upper slopes, and northern red and white oaks dominating on the lower portions. Soils have a rich organic content, and exhibit a well-developed duff layer. Rock outcrops are of common occurrence on slopes and along the ridgeline. Elevation ranges from 1400 feet above sea level at Lower Coleman Hollow to 2991 feet near the High Rock Tower.

South Savage Wildland





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0 0.5 1 2 Miles

(Figure 2)

Legend

Wildlands

Prepared by: Resource Planning
Maryland Department of
Natural Resources
May 2005

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Silvicultural treatments consisting of both regeneration harvest cuts and commercial thinning were implemented in the northern and southern portions of the tract in 1977, 1978, 1983, 1987, 1995, and 1999. However, other portions of the Wildland have not been cut in recent history. Some of those patches of old forest are extensive, and are among the finest examples within Savage River State Forest.

The tract is bisected by several access roads constructed for previous forest management activities. Those roads have been maintained for recreational access (opened annually during hunting season) and also for fire suppression should the need arise.

The notable topographic and ecological diversity exhibited by this tract of forest supports an unusually diverse community of plants and animals, ranging from invertebrates in the duff layer of the forest floor, furbearers in the woodlands, and forest interior nesting birds in the understory and canopy. While some of these species are of particular interest to hunters, trappers and nature observers, all contribute to the healthy ecosystem that makes the South Savage Wildland the fine natural area that it is.

Wildlife populations within the tract are healthy and the area within the Wildland has traditionally been available for public hunting. The large area of contiguous forest provides ideal habitat for a wide variety of vertebrates requiring extensive undeveloped tracts of land, such as black bears and forest interior nesting birds. Also present among the resident wildlife community are a number of uncommon to rare species that are protected by the Department, including the following:

Allegheny woodrat (*Neotoma magister*, Endangered)
Long-tailed shrew (*Sorex dispar*, In Need of Conservation)
Smokey shrew (*Sorex fumeus*, Threatened)
New England cottontail (*Sylvilagus transitionalis*, In Need of Conservation)
Bobcat (*Lynx rufus*, In Need of Conservation)
Cerulean warbler (*Dendroica caerulea*, rare)
Winter wren (*Troglodytes troglodytes*, rare)
Timber rattlesnake (*Crotalis horridus*, rare)

The Allegheny woodrat population within this Wildland is particularly notable. This native rodent occurs in colonies scattered throughout the South Savage Wildland. It has undergone a precipitous decline in the eastern United States, and is listed as Endangered in Maryland. The South Savage colonies are considered very significant to the integrity and survival of the *Neotoma* "meta-population" that occurs along the crest and slopes, from High Rock to Savage River.

As noted previously, the forest community supported by the South Savage Wildland is diverse. While that diversity may be slightly reduced as timber management ceases and edge species and conifers eventually give way to the hardwood trees typical of mature Appalachian forests, the community is expected to remain complex and healthy.

The understory and herbaceous communities will also remain diverse, contributing significantly to the biological diversity of the South Savage tract.

Most of this section of Big Savage Mountain is underlain by acidic sandstones and shale, so the soils primarily support plant communities that prefer or require acidic conditions. However there are areas where less acidic conditions persist, particularly in a band near Savage River. That same band runs through the adjacent Big Savage Wildland, where a number of occurrences of notable rare plant populations have been found. Among the very diverse understory/herbaceous plant community of this Wildland is a population of Porter's reed grass (*Calamagrostis porteri*). This plant is listed as State Endangered, and the South Savage occurrence is considered to be very good. This population is the only one documented for the Allegheny Plateau in Maryland. Additional fieldwork within the South Savage Wildland is expected to identify additional populations of rare plants and animals. At the present time, the area included within the South Savage Wildland supports 93 occurrences of 49 different rare/tracked species.

Even though the Wildland area does not typically include permanent streams, it does contain ephemeral streams, vernal pools, springs and seepage areas. These small water bodies provide habitat for a number of rare or uncommon invertebrates, and contribute to overall habitat diversity. The watershed qualities of this large forested area (groundwater recharge, maintenance of surface water quality and low water temperature) also affect the surface water drainage of adjacent areas. Surface streams in this region generally are clean and cool, supporting notable populations on aquatic species, including game fish such as native brook trout.

Historic Uses

Historically, the South Savage tract has been used for timber management, public hunting (primarily for deer), passive recreation such as hiking and nature study, and academic research. However, use by the public, other than hunters, has been very light because the trails are steep and difficult. Hunters have traditionally accessed the area by way of the old logging roads.

Wildlands Management

As required by the Annotated Code of Maryland (Natural Resources Article, Section 5-1201), Wildland designation is reserved for "limited areas of land or water which have retained their wilderness character, although not necessarily completely natural and undisturbed, or have rare or vanishing species of plant or animal life or similar features of interest worthy of preservation for use of present and future residents of the State. This may include unique ecological, geological, scenic, and contemplative recreational areas on State lands." Further, a Type 2 Wildland is defined as "A unit of importance for all the natural sciences, especially ecology, and with outstanding value for education, research, and appreciation of natural processes. Preservation in the desired natural condition is the prevailing purpose of these holdings. Visitation shall be regulated to ensure this preservation on a permanent basis."

The designation of this area as a Wildland places an additional layer of protection and management responsibility over that already provided by its designation as a State Forest. As such, the Wildlands regulations are supplemental to other existing regulations. The Wildlands legislation and implementing regulations establish permitted, prohibited, and restricted or conditional activities for Wildlands in general, and for individual Wildlands specifically.

Although the legislation designating each Wildland may permit or prohibit activities uniquely for that Wildland, certain activities can typically be applied to any Wildland in the System. Included are activities that are consistent with the experience and enjoyment of each area without impacting its Wildland character, including hiking, nature study, cross country skiing, canoeing, kayaking, rafting, hunting, and fishing. In addition, those activities necessary to protect the area from fire, insects and other animals, disease and erosion (although each must be evaluated on a case-by-case basis) are also allowed.

Certain activities are generally restricted or allowed on a conditional basis only when public safety, private property or a Wildland resource is threatened. Actions falling within these categories include the construction of temporary roads, use of motorized equipment and vehicular transport, transplanting native plants or wildlife, forest management, use of non-structural shore erosion control, and the placement of temporary structures, installations or equipment.

Activities or actions that are inconsistent with the protection of the Wildland character of the area are prohibited. These include permanent roads, structures or installations, the operation of commercial enterprises, the introduction or support of non-native plants or animals, and mineral extraction.

Special Stipulations in Designating Legislation

As noted previously in this plan, the legislation designating the South Savage Wildland acknowledged that the tract provides unique opportunities for research and studies to enhance our understanding of natural ecological processes and related economic, sociological, and cultural benefits. For that reason it authorized DNR to allow within the South Savage Wildland, research activities that are generally restricted or prohibited in State Wildland areas, if the DNR determines that the activities will not adversely impact Wildland resources and the ecological values of the tract. The following discussion outlines the types of research and study that may be considered, and establishes a framework for evaluating proposals, permitting them to be implemented, and reviewing their results.

Establish Panel To Approve Nature and Duration of Research

Since a wide variety of types of research could be conducted within the South Savage Wildland, it would be impossible to attempt to list every possible research proposal here. The responsibility for reviewing and approving research proposals will be delegated to a multidisciplinary panel. The panel will be established and managed by DNR, under

the direction of the Manager of the Savage River State Forest. It will include, at a minimum, three representatives from DNR, two representatives from the research community and one independent citizen not affiliated with either DNR or these academic institutions. DNR representation will include the Forest Manager, the Regional Ecologist and the Regional Planner, or representatives appointed by those individuals.

It will be the responsibility of this group to meet at least once each year to consider and approve research studies proposed for the coming year, review the progress of multi-year studies, and discuss the results of projects that were completed during the previous period. In addition to approval of each research proposal, this panel will also approve its duration. It is anticipated that many research projects will be completed within a single year. However, others will require more that a single year, and some may involve long-term observation or data gathering. For instance, a simple survey of FIDS nesting could be done in a single season, but an analysis of trends in nesting success could require ten or twenty years of observation. Assessing the number of black bears using the area could be done in a few months, but determining their home range and patterns of movement would take years.

The South Savage Research Panel will also be called upon to review and approve proposed habitat modification, physical disturbance, the use of any chemicals, the removal or translocation of plants or animals, the use of temporary installations and motorized equipment, and any other activity not typically permitted within a designated Wildland. As specified in the legislation designating this Wildland, it is DNR's responsibility (with input from the other members of the Research Panel), to determine if a specific research related activity generally not permitted within a Wildland is to be allowed within the South Savage Wildland.

In addition, a "Research" element should be included in the Annual Work Plan and the ID team expanded to include a representative from the research community. This will incorporate research activity within the Wildland into the long range planning process for the State Forest as a whole.

Guidelines Applying to Research

Although it will not be possible to identify each and every type of research or other use that could be proposed for the South Savage Wildland, the following guidelines will apply to any proposal. The Research Panel will consider uses or activities not covered by these guidelines.

Motorized equipment- The use of motorized equipment within the Wildland for reasons other than public safety or the protection of Wildlands resources or public property, will be permitted only under very unusual circumstances and must be approved by the Research Panel. Transportation of most equipment and materials will be done by backpack or human propelled wheeled devices such as deer carriers or garden carts. The Research Panel must approve all use

of mechanized vehicles within the Wildland, other than permitted use on the access road.

Installations- Monitoring equipment, collecting devices, and other research apparatus to be installed within the Wildland will be sited so as to prevent damage to vegetation, and will be temporary. Equipment will not be placed on permanent foundations, and will not be attached to trees.

Collecting- Removal of plants and animals from the Wildland will generally be prohibited. However, when it is considered necessary, sample size will be minimal, and will be approved in advance by the Research Panel.

Habitat manipulation- Natural habitat may be manipulated only when approved in advance by the Research Panel.

Site access- It is the intention of DNR to allow the existing forestry roads to revegetate naturally. As specified in the designating Legislation, the existing forestry road leading into the Wildland from Savage River Road will be kept open for limited use by researchers, but will terminate at the 1600-foot contour (Figure 3). The road will be maintained in an unpaved condition by the educational institutions conducting research within the Wildland. If required, they may clear and maintain an area just below the 1600-foot contour sufficient to allow vehicles to turn around. The forestry road will be securely gated at its junction with Savage River Road. Trails may be maintained by DNR or University research staff, and the existing trail system may be expanded if approved by DNR. However, all trails will be sufficiently narrow to prevent formation of a canopy gap, will remain unpaved, and will be monitored periodically for signs of compaction, erosion or other conditions considered inconsistent with Wildlands status. Existing trails should also be monitored by University research staff for the presence of invasive non-native vegetation. The presence of invasive, non-native species along roads or trails within the Wildland should be brought to the attention of the Forest Manager.

The duration of individual research projects or programs will be determined by the researcher submitting a proposal for consideration, but must be approved by the research panel. Many projects will be completed in one year or less, but it is anticipated that multi-year research projects will also be proposed. Time extensions for projects not completed within their projected duration must be approved by the Research Panel.

All researchers will submit to the Research panel a preliminary report within 60 days of the completion of all projects requiring one year or less. For multi-year projects, a yearend report will be submitted. Final reports will also be submitted, as should published papers resulting from any work conducted within the South Savage Wildland. Copies of research reports and publications will be maintained at the Forest office and in DNR's Carter Library in Annapolis.

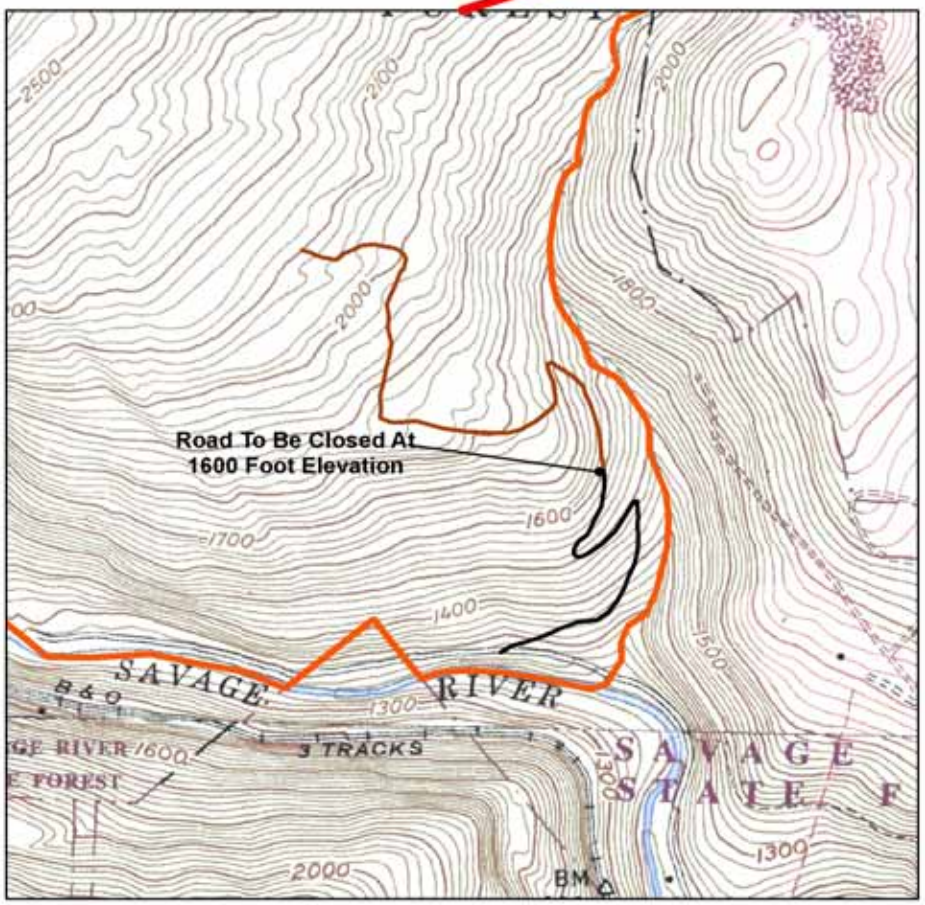
Researchers working within the South Savage Wildland must also obtain, from the appropriate source, any appropriate collecting permits and approvals that may be required to work with vertebrates or protected plants or animals. Permission to conduct research granted by the Research Panel will not supercede the permit requirements of DNR or other State or Federal agencies.

Memorandum of Understanding

The Legislation that designated the South Savage Wildland identified it as an appropriate site for academic research, and specified that a partnership be established with Frostburg State University and the University of Maryland Biotechnology Institute to explore and promote ecological research and education within the tract. That partnership is to be described and defined in a Memorandum of Understanding to be executed between DNR and those specified elements of the academic research community. The MOU was approved on the September 22, 2005, and an executed copy is included in Appendix B to this Comprehensive Plan.

South Savage Wildland

With Existing Logging Road Location Shown



(Figure 3)

Feet
0 500 1,000 2,000

N

Legend

- Logging Road
- Section of Road to be Closed
- South Savage Wildland Boundary

Prepared by: Resource Planning
Maryland Department of
Natural Resources
May 2005

MARYLAND DEPARTMENT OF NATURAL RESOURCES

Appendix A

Text of legislation (SB 552, in part) designating South Savage Wildland, including meets and bounds description of the Wildland boundary.

(ff) *South Savage Wildland.-*

(1) Pursuant to the provisions of subsection (a) of this section, that property in Garrett County containing approximately 1,934 acres and described as follows is a Type 2 State wildland and shall be named the "South Savage Wildland":

Beginning at a point, said point indicated as monument number 580 on a plat of survey by the United States Department of Agriculture titled "Survey of Land Purchased, Project LU-MD-38-2, Garrett County Maryland," said point also having coordinate values of north 627588.80, 213338.275 east (NAD 27), and then running with the easternmost boundary of the Savage River State Forest south 29 degrees 55 minutes 00 seconds west 1,274.49 feet to a point, then running north 60 degrees 30 minutes 00 seconds west 1,237.64 feet to a point, then running south 30 degrees 31 minutes 00 seconds west 2,515.17 feet to a point, then running north 66 degrees 15 minutes 00 seconds west 828.28 feet to a point, then running south 25 degrees 18 minutes 00 seconds west 1,035.27 feet to a point, then running south 66 degrees 31 minutes 00 seconds east 690.58 feet to a point, then running south 29 degrees 04 minutes 00 seconds west 1,630.27 feet to a point, then running south 48 degrees 20 minutes 00 seconds west 1,113.26 feet to a point, then running south 89 degrees 19 minutes 00 seconds west 332.41 feet to a point, then running south 18 degrees 57 minutes 00 seconds west 1,876.31 feet to a point, then running north 71 degrees 27 minutes 00 seconds west 749.32 feet to a point, then running south 22 degrees 46 minutes 00 seconds west 803.01 feet to a point, then running south 57 degrees 35 minutes 00 seconds west 232.67 feet to a pipe at corner 598, then leaving the easternmost boundary of Savage River State Forest and running north 77 degrees 00 minutes 47 seconds west 243.47 feet to the centerline of a stream, then running with the center of said stream south 04 degrees 33 minutes 40 seconds east 316.36 feet to a point, then running south 10 degrees 57 minutes 06 seconds west 223.70 feet to a point, then running south 42 degrees 00 minutes 33 seconds west 291.85 feet to a point, then running south 10 degrees 43 minutes 21 seconds west 405.45 feet to a point, then running south 38 degrees 18 minutes 14 seconds west 177.35 feet to a point, then running south 11 degrees 39 minutes 33 seconds west 234.73 feet to a point, then running south 08 degrees 59 minutes 46 seconds west 237.75 feet to a point, then running south 04 degrees 34 minutes 14 seconds west 322.25 feet to a point, then running south 21 degrees 33 minutes 55 seconds east 244.95 feet to a point, then running south 32 degrees 43 minutes 08 seconds east 395.64 feet to a point, then running south 14 degrees 15 minutes 44 seconds east 109.92 feet to a point, then running south 55 degrees 47 minutes 46 seconds east 292.43 feet to a point, then running south 32 degrees 05 minutes 17 seconds east 392.98 feet to a point, then running south 14 degrees 49 minutes 53 seconds east 474.86 feet to a point, then running south 10 degrees 58 minutes 02 seconds east 377.57 feet to a point, then running south 06 degrees 46 minutes 51 seconds west 344.23 feet to a point, then running south 16 degrees 10 minutes 05 seconds west 330.20 feet to a point, then running south 40 degrees 35 minutes 53 seconds west 292.21 feet to a point, then running south 05 degrees 42 minutes 44 seconds west 266.54 feet to a point, then running south 30 degrees 23 minutes 38 seconds west 166.80 feet to a point at the edge of an existing road, then leaving aforementioned stream and running at the base of Big Savage Mountain north 74 degrees 07 minutes 40 seconds west 654.05 feet to a point, then running south

85 degrees 27 minutes 31 seconds west 954.17 feet to a point, then running north 37 degrees 38 minutes 52 seconds west 333.52 feet to a point, then running south 49 degrees 06 minutes 00 seconds west 685.27 feet to a point, then running north 71 degrees 13 minutes 33 seconds west 652.80 feet to a point, then running north 85 degrees 08 minutes 44 seconds west 1,186.18 feet to a point, then

(2) (i) The South Savage Wildland area provides a unique site for the study of environmental sciences and offers an outstanding value for education, research, and enhanced understanding of natural processes and related economic, sociological, and cultural benefits.

(ii) Notwithstanding any other provision of this subtitle, the Department may allow research study in the South Savage Wildland area that involves some activities that are generally restricted or prohibited in State wildland areas, if the Department determines that the activities will not cause adverse impacts to the wildland resources and the ecological values of the site.

(iii) The Department and the University System of Maryland, through its constituent institutions Frostburg State University and the University of Maryland Biotechnology Institute, shall develop a comprehensive plan for the site setting forth the timing, duration, and general scope of the research activities to be allowed, subject to public review and comment and subject to approval by the Secretary.

Appendix B

Memorandum of Understanding between the Maryland Department of Natural Resources and the University of Maryland System, through its constituent institutions Frostburg State University and the University of Maryland Biotechnology Institute, establishing a partnership for academic research within South Savage Wildland.

MEMORANDUM OF UNDERSTANDING
between the
State of Maryland, Department of Natural Resources
and
Frostburg State University
and
the University of Maryland Biotechnology Institute
concerning research activities to be conducted within the South Savage Wildland

This Memorandum of Understanding (MOU), dated September 22nd, 2005 is between the State of Maryland, Department of Natural Resources (DNR), and the University of Maryland System, through its constituent institutions Frostburg State University (FSU) and the University of Maryland Biotechnology Institute (UMBI). It establishes a cooperative relationship between these three organizations to support and allow research to be conducted within that portion of Savage River State Forest that has been designated as the South Savage Wildland ("Wildland").

Whereas, the South Savage Wildland is a 1934-acre tract within Savage River State Forest that was designated as a Type 2 Wildland effective October 1, 2002; and

Whereas, Type 2 Wildlands are defined as units of importance for all the natural sciences, especially ecology, and with outstanding value for education, research, and appreciation of natural processes. Preservation in the desired natural condition is the prevailing purpose of these holdings. Visitation shall be regulated to ensure preservation on a permanent basis; and

Whereas, during consideration of the legislation designating the South Savage Wildland, FSU and UMBI identified the area as offering outstanding value for education, research, and enhanced understanding of natural processes and related economic, sociological, and cultural benefits; and

Whereas, agreement was subsequently reached on that proposal, and language was included in the designating legislation making the area available to FSU and UMBI for appropriate education and research purposes, with full DNR oversight. The legislation also directed DNR, FSU and UM to prepare a Comprehensive Plan for the area establishing a process for approval and oversight of Wildland oriented research activity. This MOU has been attached to and made part of the approved Comprehensive Plan as Appendix B.

Now, therefore, DNR, FSU, and UMBI agree as follows:

I. Comprehensive Plan and Research Panel

a. The South Savage Wildland shall be available to FSU, UMBI, and other academic institutions as approved pursuant to this section, for education and research into forest ecology, other related natural processes, and the biota of the area.

b. A Research Panel will be established to oversee research and educational activities conducted within the Wildland. The Research Panel will establish the timing, duration, and general scope of research to be conducted, will approve individual proposals, and will review progress and results. The Research Panel shall consist of at least six members, including at least three personnel from DNR, two representatives with expertise in the proposed area of research from a pool of qualified FSU and UMBI faculty, and one citizen not affiliated with DNR or these academic institutions. The Research Panel will be established and directed by the Manager of Savage River State Forest, and will meet at least once a year, and more often as is necessary.

c. The Research Panel will meet in a timely manner when research proposals are submitted for consideration. Academic or research institutions other than FSU or UM may conduct research within the Wildland only with consent of the Research Panel.

d. All activities within the Wildland must be coordinated with, and approved by, this Research Panel. Activities that are generally restricted or prohibited in State Wildlands may only be carried out with approval from DNR, through the Research Panel.

e. Research activities will be conducted at the expense of the academic organizations involved, and those organizations will also be responsible for maintenance of the access road. The access road will be maintained, but not widened or paved, and will not be used by vehicles or maintained beyond the 1600-foot contour.

II. Intellectual Property

a. Ownership of intellectual property created as a result of any research conducted in the Wildland shall be owned as follows: Intellectual property that is grant funded shall be owned pursuant to the terms of the grant. Ownership rights in intellectual property created as a result of research conducted by faculty, staff or students of FSU and UMBI shall be subject to the University System of Maryland policy on Intellectual Property and the FSU and UMBI Intellectual Property policies.

b. Three copies of reports of all research, including theses and dissertations, conducted within the South Savage Wildland, and all published papers resulting there from, will be provided to DNR for its use.

III. Effective Date, Modification, Termination

a. This MOU will be in effect from the date of signing by all parties and will remain in effect until such time as all parties agree to terminate it.

b. The terms and conditions described in this MOU constitute the entire agreement between the parties. Modifications or amendments must be made in writing and executed by all parties or their designated representatives. Any request for modification or amendment made by a party will be considered promptly and in good faith by the other parties. Modifications or amendments agreed upon by all parties shall become effective immediately or at a given date as determined by the parties.

c. Any party may suspend or terminate its own participation upon sixty (60) days written notice to the other parties.

IV. Notices

Notices to be provided to parties shall be sent to the following addresses, or to an alternative address designated in writing by the recipient party.

To DNR: Manager, Savage River State Forest
349 Headquarters Lane
Grantsville, MD 21536

To UMBI: Dr. Jennie C. Hunter-Cevera
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To FSU: Dr. Catherine R. Gira
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The parties have caused this MOU to be executed by their duly authorized representatives on the dates indicated below.

STATE OF MARYLAND, DEPARTMENT OF NATURAL RESOURCES

Ronald Franks 9/22/05
C. Ronald Franks, Secretary

FROSTBURG STATE UNIVERSITY

Catherine R. Gira
Catherine R. Gira
President

UNIVERSITY OF MARYLAND
BIOTECHNOLOGY INSTITUTE

Jennie Hunter Cevera
Jennie Hunter-Cevera, President

Approved for legal form and sufficiency this 27 day of October, 2004

Shaun P. K. Fenlon
Assistant Attorney General

Approved for legal form and sufficiency this _____ day of _____, 2004

Karen A. Treber
FSU Legal Counsel

South Savage Wildland (Savage River State Forest)
Land Unit Plan

State of Maryland
Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

Maryland Department of Natural Resources
C. Ronald Franks, Secretary
Lynn Buhl, Deputy Secretary